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ABSTRACT

This book presents an analysis of and guide to Section 504 of the Rehabilitation Act of 1973. Part I considers the evolution of compliance standards under Section 504 with chapters on civil rights compliance standards, nondiscrimination versus affirmative action, and the recipient's obligation. Part II provides an overview of Section 504 covering: who must comply (the meaning of "recipient" and "federal financial assistance"); determining who is handicapped; the meaning of "qualified handicapped person"; prohibited discriminatory actions; and procedural requirements. Part III examines the duty to provide access to facilities. Part IV focuses specifically on elementary and secondary education through coverage of: entities responsible for providing services; appropriate education; free education; educational setting; evaluation and placement; disciplining disabled students; procedural safeguards; nonacademic services; preschool, adult education, and private education; and Section 504 versus the Education of the Handicapped Act (EHA). Part V addresses postsecondary education and discusses the recipient's responsibility, admissions and recruitment, treatment of students, and academic adjustments. Employment is the focus of part VI which considers meaningful access, reasonable accommodation, employment criteria, and preemployment inquiries. The last section looks at enforcement including charges of discrimination, relationships with the federal enforcement agency, and development of an effective compliance program. Appendices list cases, agency rulings, and sources of information and provide the text of Section 504. End notes for each chapter are also provided. (DB)